APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/557,068	04/21/2000	Sai V. Allavarpu	5181-61100	6633

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EXAMINER
HU, JINSONG

ART UNIT	PAPER NUMBER
2154	16

DATE MAILED: 03/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
	09/557,068	ALLAVARPU ET AL.
Office Action Summary	Examiner	Art Unit
	Jinsong Hu	2154

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _22 December 2003_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-45_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-45_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _12 & 15_.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   Claims 1-45 are presented for examination.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3.   Claims 1-3, 5-6, 16-18, 20-21, 31-33 and 35-36 are rejected under 35

U.S.C. 102(e) as being anticipated by Carre (US 6,282,579).

4.   As per claim 1, Carre teaches the invention substantially as claimed including a

network management system [col. 1, lines 10-19] comprising:

a gateway [CMISE Gateway, Fig. 3a] which is coupled to one or more managed

objects [col. 5, lines 2-23] and which is configured to deliver messages between the

managed objects and one or more managers [Fig. 2b; Fig. 3a-3b; col. 3, lines 33-53;

col. 5, lines 9-20]; and

a platform-independent interface [i.e., CMISE/IDL] to the gateway, wherein the

gateway is configurable to communicate with the managers through the platform-

independent interface to deliver the messages [col. 5, lines 25-33 & 60-65].

Wherein the gateway is configurable to deliver the messages for each manager

in a format selected by that manager [col. 5, lines 49-59; col. 6, lines 30-35].

5.   As per claim 2, Carre teaches that the selected format comprises text [col. 6,

lines 30-35].

6.   As per claim 3, Carre teaches that the selected format comprises Abstract

Syntax Notation One (ASN1) [col. 1, lines 38-42].

7.   As per claims 5-6, Carre teaches that the platform-independent interface to the

gateway is expressed in an interface definition language, and wherein the interface

definition language comprises a language for defining interfaces to managed objects

across a plurality of platforms and across a plurality of programming languages, and the

interface definition language comprises OMG IDL [col. 4, lines 7-13].

8.   As per claims 16-18 and 20-21, since they are method claims of claims 1-3 and

5-6, they are rejected for the same basis as claims 1-3 and 5-6.

9.   As per claims 31-33 and 35-36, since they are program claims of claims 1-3 and

5-6, they are rejected for the same basis as claims 1-3 and 5-6.

10.   Claims 1-2, 4-11, 13-17, 19-26, 28-32, 34-41 and 43-45 are rejected under 35

U.S.C. 102(e) as being anticipated by Shank et al. (US 6,445,776 B1).

11.   As per claim 1, Shank teaches the invention substantially as claimed including a

network management system [col. 1, lines 13-18] comprising:

        a gateway [220, 230, Fig. 2] which is coupled to one or more managed objects

[i.e., data in different resources] and which is configured to deliver messages between

the managed objects and one or more managers [210-216, Fig. 2; col. 4, line 65 – col.

5, line 12; col. 7, line 63 – col. 8, line 9]; and

        a platform-independent interface [i.e., media service interface] to the gateway,

wherein the gateway is configurable to communicate with the managers through the

platform-independent interface to deliver the messages [col. 17, lines 26-37].

        Wherein the gateway is configurable to deliver the messages for each manager

in a format selected by that manager [col. 5, lines 39-50].

12.   As per claim 2, Shank teaches that the selected format comprises text [228, Fig.

2].

13.   As per claim 4, Shank teaches that the messages are communicated with the

managers via Internet Inter-Object Protocol (IIOP) [col. 3, line 65 - col. 4, line 1].

14.   As per claims 5-6, Shank teaches that the platform-independent interface to the

gateway is expressed in an interface definition language, and wherein the interface

definition language comprises a language for defining interfaces to managed objects

across a plurality of platforms and across a plurality of programming languages, and the

interface definition language comprises OMG IDL [col. 4, lines 7-13].

15.   As per claims 7 and 8, Shank teaches that the managed objects comprise one or

more objects corresponding to a telephone network [210, Fig. 2; col. 7, lines 20-24].

16.   As per claims 9 and 10, Shank teaches that the gateway comprises a request

gateway which is configured to deliver messages generated by the

one or more managers to the one or more managed objects, and wherein the messages

comprise requests for the one or more managed objects [col. 2, lines 64-67; col. 7, lines

43-46; col. 7, line 66 – col. 8, line 6].

17.   As per claim 11, Shank teaches that the requests comprise a command to set

one or more parameters [i.e., tvmList, offset, etc.] of one of the managed objects [col.

17, lines 53-66].

18.   As per claim 13, Shank teaches that the requests are converted from the

interface definition language to a platform-specific format prior to delivery to

the managed objects [col. 5, lines 39-50].

19.   As per claim 14, Shank teaches that the gateway comprises an event gateway [

234, Fig. 2], and the messages comprise events associated with the managed objects

[col. 5, lines 5-12].

20.   As per claims 15, Carre teaches that the events comprise an alert generated by

one of the managed objects [col. 6, lines 59-61].

Claim Rejections - 35 USC § 103

21.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

22.   Claims 3, 12, 18, 27, 33 and 42 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Shank et al. (US 6,445,776 B1) as applied to claim 1-2, 4-11, 13-17,

19-26, 28-32, 34-41 and 43-45 above.

23.   As per claims 3 and 12, Shank teaches the invention substantially as claimed in claim 1. Shank does not specifically teaches that the selected format comprises Abstract Syntax Notation One (ASN1) and the requests are converted from the interface definition language to a Portable Management Interface (PMI) format prior to delivery to the managed objects. However, it would have been obvious to a person of ordinary skill in the art at the time the invention was made that utilizing art well-known specification language [e.g. ASN. 1] and particular interface format [e.g. PMI] in Shank's system for fulfilling the system requirement.

24.   As per claims 18 and 27, since they are method claims of claims 3 and 12, they are rejected for the same basis as claims 3 and 27 above.

25.   As per claims 33 and 42, since they are program claims of claims 3 and 12, they are rejected for the same basis as claims 3 and 12.

Conclusion

26.   Applicant's arguments filed on 12/22/03 for claims 1-45 have been fully considered but they are not deemed to be persuasive.

27.   In the remarks, applicant argued in substance that (1) Carre does not teach the gateway is configured to deliver the message for each manager in a format selected by that manager; (2) Carre does not teach that the selected format comprises text.

(3) Shank does not teach the gateway is configured to deliver the message for each

manager in a format selected by that manager; (4) Shank does not teach that the

selected format comprises text; (5) The rejection for claims 3, 12, 18, 27, 33 and 42 is

based in hindsight.

28.   Examiner respectfully traverses applicant's remarks:

A.   As to point (1), applicant fails to consider the teaching of the Carre for

translating each message from one format [i.e., OSI objects] into another format [i.e.,

CORBA objects] in the communication layer of the gateway, wherein the format can be

accessed by each deliver manage [i.e., classic CORBA message; col. 5, lines 49-59].

Thus, Carre does teach the gateway is configured to deliver the message for each

manager in a format selected by that manager.

B.   As to point (2), applicant fails to consider the teaching of Carre for

converting the full-distinguished name [i.e., text] for the message being transferred [col.

6, lines 30-35] form type of the objects reference to ASN.1 type [col. 6, lines 22-26].

Thus, Carre does teach that the selected format comprises text.

C.   As to point (3), applicant fails to consider the teaching of the Shank for

providing media services which including text-to-speech services, speech recognition

services, facsimile services, etc, the format or interface for each of these services are

different, they are being selected by that deliver manager [i.e., player, recognizer, etc.;

col. 5, lines 39-50; col. 17, lines 26-37]. Thus, Shank does teach the gateway is

configured to deliver the message for each manager in a format selected by that manager.

D.   As to point (4), applicant fails to consider the teaching of Shank for providing text-to-speech services [col. 5, line 40]. Thus, Shank does teach that the selected format comprises text.

F.   As to point (5), applicant fails to consider Abstract Syntax Notation One (ASN1) is a well-known industry standard which is used for defining the data types for object attributes; Furthermore, Portable Management Interface (PMI) is only an abstraction of an interface, it can be developed for any specific system. Therefore, the rejection for claims 3, 12, 18, 27, 33 and 42 is based on the concept and advantage of industry standard and ordinary skill in the art, not based on hindsight as applicant argued.

Accordingly, Carre and Shank are relevant prior art references.

29.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jinsong Hu whose telephone number is (703) 306 – 5932.
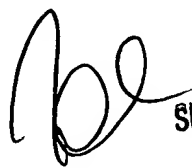
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A. Follansbee, can be reached on (703) 305-8498. The fax number for Group 2100 is (703) 872-9306.

Any inquiry of a general nature or relating to the status of the application should

be directed to the Group receptionist at (703) 305-3900.

Jinsong Hu

March 18, 2004

JOHN FOLLANSBEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100